

# PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications filed under 37 CFR 1.53(b))

Attorney Docket No.	3139-032494
First Named Inventor	Dr. Andrew R. Jamieson
Title	Strawberry Variety Named 'Sable'
Express Mail Label No.	EL 881093735 US

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## APPLICATION ELEMENTS

See MPEP chapters 600 &amp; 1600 concerning plant patent application contents.

- ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Specification [Total Pages 9]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Latin name of genus and species
  - Variety denomination
  - Background of the Invention
  - Brief Description of the Drawings
  - Detailed Botanical Description
  - A single claim
  - Abstract of the Disclosure
- ☒ Color drawing(s) [Total Sheets 6]  
(2 copies required - 37 CFR 1.165(b))
- Oath or Declaration [Total Pages 2]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)
    - ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76.

## ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☐ Request Nonpublication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information: Examiner Wendy C. Haas Art Unit: 1661  
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number: 28289 OR ☐ Correspondence address below

Name	Julie W. Meder Webb Ziesenheim Logsdon Orkin & Hanson, P.C.				
Address	700 Koppers Building, 436 Seventh Avenue				
City	Pittsburgh	State	Pennsylvania	Zip Code	15219
COUNTRY	United States	Telephone	412-471-8815	Fax	412-471-4094

Name (Print/Type)	Julie W. Meder	Registration No. (Attorney/Agent)	36,216
Signature	<i>Julie W. Meder</i>	Date	December 29, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

22581 U.S. PTO  
10/747871

122903

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dr. Andrew R. Jamieson  
Serial No.: 09/935,478 Group Art Unit: 1661  
Filing Date: August 23, 2001 Examiner: Wendy C. Haas  
Title: Strawberry Variety Named 'Sable'

Mail Stop PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTIFICATION OF FILING OF  
CONTINUING OR DIVISIONAL APPLICATION

Notification is hereby being made of the filing of a:

- ☒ Continuation  
☐ Continuation-in-part  
☐ Divisional

application for this case filed:

- ☐ concurrently herewith.  
☒ on December 29, 2003  
(date)

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

Date: December 29, 2003

By Julie W. Meder  
Julie W. Meder  
Registration No. 36,216  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Attorney for Applicants  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2003.

Theresa Ulinski

(Name of Person Mailing Paper)

Theresa Ulinski 12/29/2003  
Signature Date

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

**Dr. Andrew R. Jamieson**

**3139-032494**

ENTITLED

**Strawberry Variety Named 'Sable'**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label Number EL 881093735 US

Date of Deposit December 29, 2003

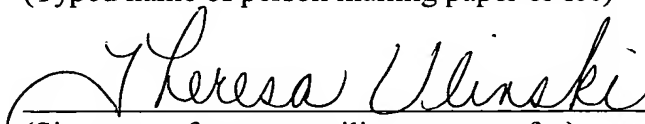
I hereby certify that the following attached paper or fee

PLANT PATENT APPLICATION TRANSMITTAL (1 p.);  
SPECIFICATION (9 pp.);  
CLAIMS (1 pp.);  
ABSTRACT OF THE DISCLOSURE (1 p.);  
THREE (3) SHEETS OF DRAWINGS IN DUPLICATE;  
DECLARATION AND POWER OF ATTORNEY (2 pp.-copy from parent);  
ASSIGNMENT (2 pp -copy from parent); and  
COPY OF NOTIFICATION OF FILING OF CONTINUING OR DIVISIONAL  
APPLICATION (1 p.)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Theresa Ulinski

(Typed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)